

Town Board Minutes

**Meeting
No. 31**

Regular Meeting

November 2, 1998

MEETINGS TO DATE 31
NO. OF REGULARS 21
NO. OF SPECIALS 10

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LANCASTER, NEW YORK
NOVEMBER 2, 1998

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 2nd day of November 1998 at 8:00 P.M. and there were

PRESENT: NEIL CONNELLY, COUNCIL MEMBER
DONALD KWAK, COUNCIL MEMBER
MARK MONTOUR, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: ROBERT THILL, TOWN CLERK
ROBERT LABENSKI, TOWN ENGINEER
RICHARD SHERWOOD, TOWN ATTORNEY
ROBERT LANEY, BUILDING INSPECTOR
THOMAS FOWLER, CHIEF OF POLICE
JOHANNA COLEMAN, RECEIVER OF TAXES
RICHARD REESE JR., HIGHWAY SUPERINTENDENT

PERSONS ADDRESSING TOWN BOARD:

- **Burkhardt, Guenther, 5960 Broadway, spoke to the Town Board on the following matter:**
The value of composting materials in the municipal waste stream.
- **Guenther, James, 562 Pavement Road, spoke to the Town Board on the following matter:**
Collection of alleged undercharges in certain building permit fees for the Tops Market Distribution Center.
- **Gull, Henry, 710 Pavement Road, spoke to the Town Board on the following matter:**
Collection of alleged undercharges in certain building permit fees.
- **Schneggenburger, Roy, 87 Stony Road, spoke to the Town Board on the following matter:**
Requested additional information on prefiled resolution No. 4.

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

At 8:30 P.M., the Town Board held a Public Hearing to hear all interested persons upon amendments to Section 46-8 of the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York designated as Chapter 46 of the Code of said Town pertaining to Stop and Yield Intersections within Trentwood Trail Subdivision.

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Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

PROPONENTS

None

OPPONENTS

None

COMMENTS & QUESTIONS

None

ON MOTION BY COUNCIL MEMBER CONNELLY, AND SECONDED BY COUNCIL MEMBER MONTOUR AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:33 P.M.

The Town Board, later in the meeting, adopted a resolution, hereinafter spread at length in these minutes, taking favorable action upon this matter.

PUBLIC HEARING SCHEDULED FOR 8:40 P.M.:

At 8:40 P.M., the Town Board held a Public Hearing to hear all interested persons upon the proposed Town of Lancaster Special Districts Budget for the year 1999.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

PROPONENTS

None

OPPONENTS

None

COMMENTS & QUESTIONS

None

ON MOTION BY COUNCIL MEMBER MONTOUR, AND SECONDED BY COUNCIL MEMBER CONNELLY AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:42 P.M.

PUBLIC HEARING SCHEDULED FOR 8:50 P.M.:

At 8:50 P.M., the Town Board held a Public Hearing to hear all interested persons upon the proposed Town of Lancaster Preliminary Budget for the year 1999.

The Supervisor noted that the legal notice that appeared in the Lancaster Bee stated in error that this public hearing was to be held on November 3, 1998 at 8:50 p.m.

The Supervisor stated that the Town Board would take comments not only tonight at 8:50 P.M. but also tomorrow night, Tuesday, November 3, 1998 at 8:50 P.M. at a Special Town Board meeting as originally advertised in the Lancaster Bee.

PROPOSERS

None

OPPOSERS

None

COMMENTS & QUESTIONS

Fred Hammer
Roy Schneggenburger
Donald Symer
James Brett

ADDRESS

240 Ransom Road
87 Stony Road
610 Columbia Avenue
659 Harris Hill Road

ON MOTION BY COUNCIL MEMBER KWAK, AND SECONDED BY COUNCIL MEMBER MONTGOMERY AND CARRIED, by unanimous voice vote, this Public Hearing was adjourned to 8:50 P.M. on Tuesday, November 3, 1998 when further comments will be taken.

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER MONTOUR TO WIT:

RESOLVED, that the minutes from the Joint Meeting of the Town Board
and the Planning Board held on October 19, 1998, and the Regular Meeting of the Town Board
held on October 19, 1998, be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a
vote on roll call which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

November 2, 1998

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK, WHO MOVED
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, the Twin District Volunteer Fire Company, Inc., by letter
dated October 19, 1998, has requested the deletion of three members from the active roster of said
fire association,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby deletes from
the membership of the Twin District Volunteer Fire Company, Inc. the following individuals:

DELETIONS:

Thomas Tamulski
599 Lake Avenue
Lancaster, New York 14086

Jayme Carnahan
3 South Transit Hill
Depew, New York 14043

Ida Skinner
3758 Bowen Road
Lancaster, New York 14086

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

November 2, 1998

File: RFIRE (P4)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER STEMPNIAK TO WIT:

WHEREAS, the General Crew Chief, by letter dated October 16, 1998, has requested the appointment of seasonal employees in the Parks, Recreation and Forestry Department of the Town of Lancaster for the fall/winter season of 1998/1999,

NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be and are hereby appointed to the position of seasonal employees for the fall and winter seasons of 1998/1999 in the Parks, Recreation and Forestry Department of the Town of Lancaster, with no benefits, at the following hourly rates:

<u>NAME</u>	<u>POSITION</u>	<u>RATE</u>
Edwina Fendzlau (rehire) 109 Kokomo Street, Depew	Lifeguard	\$8.75 hr.
Kathleen Luterek (rehire) 16 Deerpath Drive, Lancaster	Recreation Attendant (Water Aerobics Inst)	\$5.75 hr.
Richard Stegmaier (rehire) 238 Lou Ann Drive, Depew	Lifeguard	\$8.75 hr.

and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster take to necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

November 2, 1998

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER STEMPNIAK, TO WIT:

WHEREAS, David Smith, 6026 Broadway, Lancaster, New York has applied for a
Dumping Permit for property situated at 6026 Broadway, within the Town of Lancaster, pursuant to
Chapter 22-8 of the Code of the Town of Lancaster, and

WHEREAS, the application was referred to the Building Inspector and Town Engineer
for review and recommendation, and

WHEREAS, the Building Inspector and Town Engineer have completed their review
and made a formal, favorable recommendation to the Town Board,

NOW, THEREFORE, BE IT

RESOLVED, that David Smith, 6026 Broadway, Lancaster, New York be and is
hereby authorized to dump and dispose of materials outside permitted sanitary landfills within the Town
of Lancaster, namely on premises owned by the applicant at 6026 Broadway, said dumping to be in strict
conformance with the application of the petitioner as filed in the Office of the Town Clerk, and,

BE IT FURTHER

RESOLVED, that this permit is conditioned in accordance with the recommendations
of the Town Engineer and Building Inspector as follows:

1. Fill shall consist of hard clay, stones, or broken concrete. No building demolition material such as wood, asphalt shingles, asbestos tiles, etc. are permitted.
2. The applicant should also be aware that if he intends to build on any filled area, bore samples along with a structural engineer's report will be required prior to the issuance of a building permit.
3. Filled area must be topsoiled and seeded to prevent erosion..
4. Access to the site shall be controlled to prevent unauthorized dumping of non-permitted material.
5. Dirt tracked on the road must be cleaned on a daily basis and more often if necessary.
6. Existing ditch shall be maintained to direct the flow of water to the rear of the property.
7. No fill material shall be placed in or near, within 15', of the existing ditch along the rear of the property.

8. Dumping will be allowed between the hours of 7 AM and 5 PM Monday through Saturday. No dumping shall be allowed on Sunday.

BE IT FURTHER

RESOLVED, that no building permit for the construction of any structure on the SBL premises upon which this dumping permit is issued shall be approved by the Town Building Inspector until such time as the Building Inspector certifies in writing to the Town Board that the conditions enumerated in this resolution have been fully complied with, and

BE IT FURTHER

RESOLVED, that pursuant to Chapter 22-8(D)(6) of the Code of the Town of Lancaster the permit authorization granted herein expires one year from date of this resolution.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

November 2, 1998

File: RPERMIT.DUM (6-7)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER MONTOUR, TO WIT:

WHEREAS, the Executive Director of the Town of Lancaster, by letter dated
October 27, 1998, has requested the appointment of various members to the Youth Board of the
Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be and are hereby appointed
members of the Town of Lancaster Youth Board for the period November 2, 1998 to May 31,
2000:

Rev. Msgr. Frederick Leising
St. Mary's on the Hill
Lancaster, New York 14086

John Parker
66 Bloomfield Ave
Depew, New York 14043

Dawn Lindamer
1707 Como Park Boulevard
Depew, New York 14043

Henry Even
50 Pardee Avenue
Lancaster, New York 14086

Philip Maras
1099 Penora Street
Depew, New York 14043

Shirley Zuppelli
11 Old Post Road
Lancaster, New York 14086

The question of the foregoing resolution was duly put to a vote on roll call which
resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

November 2, 1998

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER KWAK, TO WIT:

RESOLVED, that Robert H. Giza, as Supervisor of the Town of Lancaster, is hereby authorized and directed to file a letter of intent and, upon request, an application for funds from the Federal Highway Administration in accordance with the Transportation and Community and System Preservation Pilot Program --Implementation of the Transportation Equity Act for the 21st Century, and upon approval of said request to enter into and execute a project agreement with the Federal Highway Administration for such financial assistance to the Town of Lancaster for the North/South Corridor Project Planning Study.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

November 2, 1998

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER CONNELLY, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER KWAK, TO WIT:

WHEREAS, a Public Hearing was held on the 2nd day of November, 1998 for the purpose of amending Chapter 46 - Vehicle and Traffic Ordinance of the Code of the Town of Lancaster; and persons for and against such amendment have had an opportunity to be heard, and

WHEREAS, a Notice of said Public Hearing was duly published and posted;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That Chapter 46, Vehicle and Traffic Ordinance of the Code of the Town of Lancaster be amended in the form attached hereto and made a part hereof;
2. That said amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on November 2, 1998;
3. That a Certified Copy thereof be published in the Lancaster Bee on November 5, 1998;
4. That a Certified Copy of the amendment be posted on the Town Bulletin Board;
5. That Affidavits of Publication and Posting be filed with the Town Clerk;
6. That the Highway Superintendent take whatever action is necessary to install signs in accordance with the Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

November 2, 1998

File: fvtorda.n98

LEGAL NOTICE
NOTICE OF ADOPTION
AMENDMENT TO VEHICLE & TRAFFIC ORDINANCE
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK

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NOTICE IS HEREBY GIVEN that the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of the Town of Lancaster is hereby amended as follows:

CHAPTER 46

ARTICLE VIII - Stop and Yield Intersections.

§46-8, Stop Intersections designated, is hereby amended by deleting therefrom the following stop sign:

<u>STREET NAME</u>	<u>INTERSECTING STREET</u>	<u>SIGN LOCATION</u>
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TRENTWOOD TRAIL SUBDIVISION

Seneca Place	Seitz Avenue	N/W Corner
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AND

§46-8, Stop Intersections designated is amended by adding thereto the following:

<u>STREET NAME</u>	<u>INTERSECTING STREET</u>	<u>SIGN LOCATION</u>
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TRENTWOOD TRAIL SUBDIVISION
Stop Sign Placement With All-Way Sign Attached

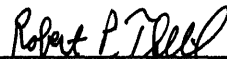
Seneca Place	Seitz Avenue	N.W. Corner
Seitz Avenue	Seneca Place	S.W. Corner
Seneca Place	Seitz Avenue	S.E. Corner

November 2, 1998

**STATE OF NEW YORK :
COUNTY OF ERIE : ss:
TOWN OF LANCASTER :**

THIS IS TO CERTIFY that I, **ROBERT P. THILL**, Town Clerk of the Town of Lancaster in the said Town of Lancaster in the said County of Erie, have compared the foregoing copy of an amendment to the Vehicle and Traffic Ordinance of the Town of Lancaster, with the original thereof filed in my office at Lancaster, New York on the 2nd day of November, 1998, and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town, this 3rd day of November 1998.



Robert P. Thill, Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER CONNELLY, TO WIT:

WHEREAS, it is in the public interest of the Town of Lancaster to complete and file its Community Development Project Description Forms for community development funding for the year 1999-2000, and

WHEREAS, a public hearing was held by the Town Board of the Town of Lancaster on October 19, 1998 to elicit from the public comments relative to the use of 1999-2000 Community Development Block Grant funds;

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby authorized and directed to execute and file the required 1999-2000 Community Development Project Description Application Forms for the year 1999-2000 for approval and execution of contract with the Erie County Community Development Block Grant Program, as follows:

1. Westwood Park ADA Compliance Project
2. Doors for the Lancaster Senior Center and Lancaster Library ADA Improvement Project; and
3. Main Street, Depew Curb and Sidewalk Replacement and Beautification Project

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

November 2, 1998

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL MEMBER
KWAK, TO WIT:

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RESOLVED, that the following Audited Claims be and are hereby ordered paid
from their respective accounts:

Claim No. 5016 to Claim No. 5227 Inclusive

Total amount hereby authorized to be paid: **\$434,758.07**

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

November 2, 1998

File: Relnims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER KWAK TO WIT:

RESOLVED that the following Building Permit Applications be and are hereby approved and the issuance of these Building Permits be and are hereby authorized:

CODES:

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are waived for this permit.

(CSW) = Conditional sidewalk waiver.

NEW PERMITS:

Pmt # SW	Applicant Name	Address	Structure
5472	P & T Wirth	25 Parkdale Dr	Er. Pool
5473	Mark Grazen	10 Ryan St	Er. Fence
5474	David Roberts	19 Greenbriar Dr	Er. Shed
5475	Ron Young	53 Williamsburg Ln	Er. Shed
5476	American Fence Co	30 Woodgate Dr	Er. Fence
5477	Pat Ardino	390 Stony Rd	Er. Garage
5478	Margaret Kelley	987 Erie St	Er. Shed
5479	A V Randaccio Bldrs	21 Sussex Ln	Er. Sin. Dwlg
5480	Flexlume Sign Co	5111 Transit Rd	Er. Sign
5481	Kevin Von Vreckin	8 Arrow Trl	Ex. Sin. Dwlg
5482	Majestic Pools Inc	33 Via Donato E	Er. Pool
5483	Mulvey Construction	4867 Transit Rd	Er. Restaurant
5484	Creative Fence	233 Warner Rd	Er. Fence
5485	Alliance Const WNY	640 Aurora St	Er. Sin. Dwlg
5486	Capretto Enterprises	4 Ryan St	Er. Sin. Dwlg
5487	Jeffrey Kirisits	10 Old Orchard Comm	Er. Fence
5488	James Knab	10 Primrose Ln	Er. Sin. Dwlg
5489	Jerry Cyrek	3771 Bowen Rd	Ex. Sin. Dwlg
5490	David Widzinski	53 Steinfeldt Rd	Er. Fence
5491	Charles Nichter	151 Peppermint Rd	Er. Pole Barn
5492	Berryman Remodeling	37 Fieldstone Ln	Ex. Sin. Dwlg
5493	Town of Lancaster	525 Pavement Rd	Remove Tank
5494	Steven Drayer	66 Village View	Er. Shed
5495	Donato Developers, Inc	67 Michael's Wlk	Er. Sin. Dwlg

and,

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

November 2, 1998

File:Rbldg2

PREFILED RESOLUTION NO. 11 - MEETING OF 11/02/98

11. Montour/_____ Authorize Refund Building Permit application Fee Overcharges
\$380.04 Noted In April 16, 1997 Audit By Fox & Company

At the request of Council Member Montour this resolution was withdrawn for
further study.

File: RWTHDRWN

Supervisor Giza requested a suspension of the necessary rule for immediate consideration of the following resolution
SUSPENSION GRANTED.

**THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER STEMPIAK, TO WIT:**

WHEREAS, Scott and Shana Zasowski, 114 Norris Street, Buffalo, New York 14216, are the owners of a parcel of property identified as SBL 95.00-2-93 and locally known as 4576 Walden Avenue in the Town of Lancaster, and

WHEREAS, Scott and Shana Zasowski has made an application to Erie County Sewer District No 4 to be an "out of district" customer and such application has been approved,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster grants Scott and Shana Zasowski permission to become an "out of district" customer of Erie County Sewer District No. 4 for service to be limited to their property identified as SBL 9.00-2-93 and locally known as 4576 Walden Avenue in the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

November 2, 1998

Council Member Kwak requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER CONNELLY, TO WIT:

WHEREAS, Donald Gallo, Consulting Engineer, has submitted a proposal dated October 28, 1998 for providing engineering services for Handicapped Accessibility at Westwood Park in the Town of Lancaster, and

WHEREAS, the Town Board, after review and discussion, deems it to be in the public interest to retain Donald Gallo for the beforementioned engineering services;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby retains Donald Gallo, Consulting Engineer, P.C., 589 Delaware Avenue, Buffalo, New York 14202, to provide engineering services for Handicapped Accessibility at Westwood Park in the Town of Lancaster in accordance with his proposal dated October 28, 1998 on file in the Town Clerk's Office; with said services not to exceed the sum of \$5,800.00.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

November 2, 1998

Supervisor Giza requested a suspension of the necessary rule for immediate consideration of the following resolution: Page 689

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER CONNELLY, TO WIT:

RESOLVED, that the Town of Lancaster hereby agrees to collaborate with the Lancaster Central School District for the purpose of constructing a playground at the William Street School; the Town of Lancaster will utilize the playground to provide summer recreation programs to area citizens, and

BE IT FURTHER

RESOLVED, that the Town Board of the Town of Lancaster hereby endorses the William Street School Playground Collaborative Project and commits to providing the site survey, excavation, and final grading as its contribution to the project; and

BE IT FURTHER

RESOLVED, that the Town Board hereby authorizes Robert H. Giza, as Supervisor of the Town of Lancaster, to submit a grant application in conjunction with the Lancaster Central School District to the Statewide Shared Services Program for funding to construct the Playground, and upon approval of said request to enter into and execute a project agreement.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

November 2, 1998

COMMUNICATIONS:

- 713. Krehbiel Associates to Council Member Stempniak -
Request approval of preliminary plat and final plat for Valley Overlook Subdivision.
DISPOSITION: Received and Filed
- 714. General Crew Chief to Supervisor -
Recommend appointment of individuals to temporary positions for the Recreation Department fall/winter 1998/99 season. DISPOSITION: Received and Filed
- 715. Twin District VFC to Town Clerk -
Notification of deletion of members from active roster. DISPOSITION: Received and Filed
- 716. Disaster Coordinator to Town Board -
Minutes from Safety Steering Committee meeting held October 15, 1998. DISPOSITION: Received and Filed
- 717. County Dept. of Senior Services to Supervisor -
Notice of various meetings to be held re: Home Energy Assistance Program. DISPOSITION: Received and Filed
- 718. NYS Off. of Real Property Services to Supervisor -
Notification of eligibility for Maintenance Aid payment based on Town's 1996 Final Assessment Roll. DISPOSITION = Assessor
- 719. Auto Wholesalers to Supervisor -
Letter of interest in purchasing used municipal equipment. DISPOSITION: Received and Filed
- 720. ECDEP to Supervisor -
Notice of change in federal audit requirements for non-federal entities. DISPOSITION: Received and Filed
- 721. Evelyn Wier, 72 Southpoint Dr., to Supervisor -
Comments and request for a "Dead End" or "No Thorough Fare" sign on corner of 72 Southpoint by corner "Stop" sign. DISPOSITION = Public Safety Committee
- 722. Duplicate of No. 716.
- 723. Town Clerk to Zoning Board Members, Building Inspector and Dep. Town Attorney -
Transmittal of variance petitions for meeting to be held on November 12, 1998. DISPOSITION = Received and Filed
- 724. County Director of Real Property to Town Clerk -
Advisement re: procedure for notification of newly appointed or reappointed Board of Assessment Review Members. DISPOSITION: Town Attorney
- 725. Town Clerk to Town Board -
Transmittal of Application for Special Use Permit of Richard Thurnherr for sale of pre-owned vehicles and repair of vehicles on property situate at 131 Pavement Rd.. DISPOSITION: Town Attorney
- 726. Town Clerk to Town Board -
Transmittal of Application for License to Operate a Salvage Yard submitted by Advantage Trucks and Salvage Inc.. DISPOSITION: Received and Filed
- 727. Town Clerk to Town Board -
Transmittal of Application for License to Operate a Salvage Yard submitted by J. Renkas & Sons Inc. d/b/a AJ's Auto Wrecking. DISPOSITION: Received and Filed
- 728. Town Clerk to Town Board -
Transmittal of application for License to Operate a Salvage Yard submitted by Ransom Auto Parts. DISPOSITION: Received and Filed
- 729. Erie County Dept of Environment and Planning to Supervisor -
Information re: Local Master Planning Initiative. DISPOSITION: Received and Filed
- 730. Cheryl L. Steffan to Supervisor -
Appreciation for a solution to their request to use land not available for their use.
DISPOSITION: Received and Filed
- 731. Town of Orchard Park to Supervisor -
Invitation to attend Youth Court Seminar. DISPOSITION: Received and Filed

732. Highway Superintendent to Supervisor -
Requests personnel changes. DISPOSITION: Received and Filed
733. NYSDOT to Supervisor -
Requests the Town to concur with proposed improvements to Walden Avenue and commit to enacting certain ordinances. DISPOSITION: Town Engineer
734. Youth Bureau Ex. Dir. to Town Board -
Recommendation of individuals to Youth Board. DISPOSITION: Received and Filed
735. Town Engineer and Building Inspector to Town Board -
Recommend issuance of dumping permit to David Smith. DISPOSITION: Received and Filed
736. Nancy Buscaglia to Youth Bureau Ex. Dir. -
Resignation from Youth Board. DISPOSITION: Received and Filed
737. Safety Coordinator to Department Heads -
Report on CPR Course held October 27, 1998. DISPOSITION: Received and Filed
738. Robert Alonzo to Town Board -
Requests clarification of resolution re: I-MAX Theatre Complex. DISPOSITION: Town Attorney, Planning Committee
739. NYSDOT to Supervisor -
Expresses appreciation for use of Town Hall and for efforts by the Town to make the meeting run smoothly. DISPOSITION: Received and Filed
740. NYS Div. Of Criminal Justice Services to Supervisor -
Advisement that the Town will receive an award from the State share of the Federal Fiscal Year 1997 Local Law Enforcement Block Grants Program. DISPOSITION: Planning Committee

ADJOURNMENT:

ON MOTION OF SUPERVISOR GIZA AND SECONDED BY THE ENTIRE TOWN BOARD
AND CARRIED, the meeting was adjourned at 10:00 P.M. out of respect to Connie Bosse.

Signed

Robert P. Thill

Robert P. Thill, Town Clerk